

**AFFIDAVIT OF SPECIAL AGENT MICHAEL J. BELLI IN SUPPORT OF  
AN APPLICATION FOR A COMPLAINT**

I, Michael J. Belli, state:

**Introduction and Agent Background**

1. I have been a Special Agent with the United States Department of Homeland Security (DHS), Homeland Security Investigations (HSI) since May 2001. I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7). I am currently assigned to HSI Boston’s Transnational Organized Crime Group. Before that, I was assigned to the HSI-led HIDTA Financial Task Force. The Transnational Organized Crime Group targets, among other criminal activities, violent crime, money laundering, weapons trafficking, narcotics trafficking and the human trafficking activities of Transnational Criminal Organizations and criminal street gangs.

2. I have participated in all aspects of financial, narcotics, organized crime and gang investigations, including through witness interviews, physical surveillance, electronic surveillance, the use of confidential informants, and the obtaining and executing of search warrants.

3. I am currently investigating Matheus Marley MACHADO, a/k/a “Matheus Marley,” for possessing ammunition in violation of 18 U.S.C. § 922(g)(5) (“the Target Offense”). Based on my training and experience, I know that it is a violation of 18 U.S.C. §922(g)(5) for any alien to possess any ammunition in or affecting commerce, or to receive any ammunition which has been shipped or transported in interstate or foreign commerce. As set forth below, there is probable cause to believe that MACHADO (“PORTILLO”) violated 18 U.S.C. §922(g)(5) on or about July 15, 2018 in Abington, Massachusetts.

4. The facts in this affidavit come from my personal observations and review of

records, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is probable cause for the requested complaint and does not set forth all of my knowledge about this matter.

**Probable Cause to Believe That a Federal Crime Was Committed**

5. The drive-by shooting occurred on July 15, 2018, at approximately 2:57 a.m., in front of FERNANDO-BIE AUTO REPAIR, located at 800 Adams Street (Route 58), Abington, Massachusetts, where a large group of people had gathered for a birthday party. Shortly after the shooting occurred, Abington Police Department (APD) Dispatch received multiple E911 calls from individuals at the party who had fled into the woods when the shots were fired. APD marked units arrived on scene, spoke with multiple party-goers who stated a shooting just occurred, the shooters had departed the area and there were no injuries.

6. Following the shooting, Abington Police Detectives interviewed a Cooperating Witness (hereinafter "CW-5"),<sup>1</sup> who stated the following: approximately 50 people were at the party, including multiple people that CW-5 did not know or recognize. A group of people were standing next to a SUV parked on the side of the building, who, CW-5 believed, were from the Lowell, Massachusetts area. An older model, gray colored sedan traveled in a northerly direction past the rear of FERNANDO-VIE AUTO REPAIR with an individual – whom she identified as MATHEUS MARLEY – hanging out of the passenger-side rear window, holding a dark-colored handgun in his right hand and the window frame with his left hand. MATHEUS MARLEY yelled, in Portuguese, at the group of people standing next to the SUV as he fired the

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<sup>1</sup> CW-5 is familiar with Matheus MACHADO, knew his voice as CW had recently spoken to him and is familiar with friends and girlfriend of MACHADO. I know CW-5's name and address. CW-5 is providing information in the hope of receiving immigration benefits. I am aware that CW-5 previously gave a false name to police, which was because of a fear of reprisal. I am not aware of any other instance of misleading or false information. Because of the corroboration, I believe that CW-5 is telling the truth.

weapon.<sup>2</sup> CW-5 saw the shot from the gun strike the ground near where the males had been standing and was close enough to smell the gunpowder and see the smoke from the gun.

7. CW-5 identified MATHEUS MARLEY by appearance and by voice, with which CW-5 was also familiar. CW-5 believed that MATHEUS MARLEY lived in the Everett, Massachusetts area and was in the United States illegally. I believe that Matheus Marley is actually Matheus Marley MACHADO, who was born in Brazil. MACHADO and his mother, Farrah Maris BARBOSA DA SILVA MACHADO resided at 8 Quarry Lane #1203, Malden, Massachusetts.

8. Abington Police Detectives recovered spent shell casings following the shooting. ATF agents have examined those casings and confirmed that they were commercially manufactured. I am aware that there are no commercial manufacturers of ammunition located in Massachusetts. Accordingly, the ammunition fired by MACHADO on or about July 15, 2018, likely traveled in interstate commerce.

9. I have reviewed the A file for MACHADO. MACHADO was admitted to the United States on or about June 2, 2016, as a non-immigrant visitor with authorization to remain in the United States until December 1, 2016. That non-immigrant authorization was extended to June 1, 2018. Accordingly, MACHADO was not legally able to possess ammunition on or about July 15, 2018.

### **Conclusion**

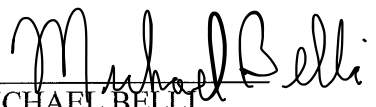
10. Based on the information described above, I have probable cause to believe that on July 15, 2018, Matheus Marley MACHADO did possess ammunition in violation of 18

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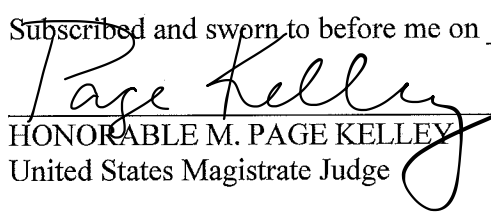
<sup>2</sup> I have reviewed surveillance video from nearby businesses, which corroborated CW-5's description of the shooting. The video also showed several people, who were standing next to the SUV, draw firearms from their waistbands or exit from FERNANDO-VIE AUTO REPAIR with weapons drawn.

U.S.C. §§ 922(g)(5).

Sworn to under the pains and penalties of perjury,

  
MICHAEL BELLI  
Special Agent  
Department of Homeland Security  
Homeland Security Investigations

Subscribed and sworn to before me on 3/19/19,

  
HONORABLE M. PAGE KELLEY  
United States Magistrate Judge

